

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)	
)	
)	
)	NO. 3:22-cr-00392
v.)	JUDGE RICHARDSON
)	
BENJAMIN T. TOH)	

ORDER

Pending before the Court is Defendant’s “Motion in Limine Regarding Government’s Summary Charts” (Doc. No. 65, “Motion”), wherein Defendant seeks to exclude certain charts produced by the Government that reportedly purport to summarize Medicare claims data for Defendant. According to Defendant, these “summary charts” either are irrelevant (and thus excludable under Rule 401) or should be excluded under Rule 402 and/or Rule 403. (*Id.*). The Government filed a response opposing the Motion (Doc. No. 70, “Response”), arguing that the summary charts are relevant and will show Defendant’s connection to Medicare. Further, the Government argues the charts are highly probative of Defendant’s knowledge.

The issues presented in the Motion are not yet ripe for the Court’s consideration. As such, Defendant’s Motion (Doc. No. 65) is DENIED without prejudice until such time as the issues presented in the motion appear before the Court in a more concrete fashion—a concreteness, the Court notes, that would be substantially enhanced by the Court having access to the actual charts that the Government intends to introduce.

IT IS SO ORDERED.



ELI RICHARDSON
UNITED STATES DISTRICT JUDGE